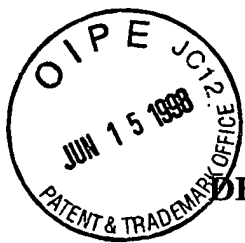


#3



PATENT
DOCKET NUMBER: 10393.44.02

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names;

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled

COMPUTER NETWORK HAVING COMMONLY LOCATED COMPUTING SYSTEMS

the specification of which: (check one)

_____ is attached hereto.

X was filed on May 4, 1998
under Attorney's Docket Number 10393.44.02
as Application Serial Number 09/072,397

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 CFR 1.56.

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

60/071,604
Application No.

January 16, 1998
Filing Date

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, we hereby appoint the following attorneys and/or agents as our attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

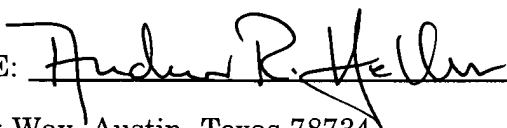
Original Declaration filed 7/20/99, Sub Declaration filed 8/10/99, Paper No. 10393.44.02

PATENT
DOCKET NUMBER: 10393.44.02

We hereby appoint WARREN B. KICE, Reg. No. 22,732; JEFFREY M. BECKER, Reg. No. 35,442; JAMES R. BELL, Reg. No. 26,528; MICHAEL S. BUSH; Reg. No. 31,745; JUBIN DANA, Reg. No. 41,400; TIM HEADLEY, Reg. No. 31,765; RITA M. IRANI, Reg. No. 31,028; MICHAEL BALCONI-LAMICA, Reg. No. 34,291; DAVID L. McCOMBS, Reg. No. 32,271; DAVID M. O'DELL, Reg. No. 42,044; MICHAEL D. PEGUES, Reg. No. 38,993; PHILLIP B. PHILBIN, Reg. No. 35,979 and BRANDI W. SARFATIS, Reg. No. 37,713 as our attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

Send correspondence to: Michael S. Bush, Haynes and Boone, L.L.P., 3100 NationsBank Plaza, 901 Main Street, Dallas, Texas 75202-3789 and direct all telephone calls to Michael S. Bush at (214) 651-5589.

FULL NAME OF FIRST JOINT INVENTOR: Andrew Heller

INVENTOR'S SIGNATURE:  DATE: _____

RESIDENCE: 4501 Hennig Way, Austin, Texas 78734

CITIZENSHIP: United States of America

POST OFFICE ADDRESS: 4501 Hennig Way, Austin, Texas 78734

FULL NAME OF SECOND JOINT INVENTOR: Barry Thornton

INVENTOR'S SIGNATURE:  DATE: June 1998

RESIDENCE: 5705 Land's End, Austin, Texas 78734

CITIZENSHIP: United States of America

POST OFFICE ADDRESS: 5705 Land's End, Austin, Texas 78734

PATENT
DOCKET NUMBER: 10393.44.02

FULL NAME OF THIRD JOINT INVENTOR: Daniel Barrett

INVENTOR'S SIGNATURE: *Daniel Barrett* DATE: 6/4/98

RESIDENCE: 1405 Clearfield Road, #101, Austin, Texas 78734

CITIZENSHIP: United States of America

POST OFFICE ADDRESS: 1405 Clearfield Road, #101, Austin, Texas 78734

FULL NAME OF FOURTH JOINT INVENTOR: Charles Ely

INVENTOR'S SIGNATURE: *Charles E. Ely* DATE: 6/6/98

RESIDENCE: 504 Rawhide, Horseshoe Bay, Texas 78657

CITIZENSHIP: United States of America

POST OFFICE ADDRESS: 504 Rawhide, Horseshoe Bay, Texas 78657

D-530879.1

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APPLICANT or PATENTEE Andrew Heller et al

Serial or Patent No.: 09/072,397

Attorney's Docket No. 10393.44.02

Filed or Issued: May 4, 1998

For: COMPUTER NETWORK HAVING COMMONLY LOCATED COMPUTING SYSTEMS



**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. § 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am:

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN INT Labs, Inc.

ADDRESS OF CONCERN 211 RR620S, Austin, Texas 78734

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 C.F.R. § 121.3-18, and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is in the average over the previous fiscal year of the concern of the persons employed on a full-time, parttime or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled **COMPUTER NETWORK HAVING COMMONLY LOCATED COMPUTING SYSTEMS** described in:

- ☐ the specification filed herewith.
☒ application serial no. 09/072,397, filed May 4, 1998.
☐ patent no. _____, issued _____.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Barry Thornton

TITLE OF PERSON IF OTHER THAN OWNER Chief Technical Officer

ADDRESS OF PERSON SIGNING 211 RR620S., Austin, TX 78734

SIGNATURE: [Signature]

DATE: June 6 1998